EXHIBIT D

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA CASE NO. 07-61542-CIV-UNGARO

$I \land$	RE BANKATLANTIC BANCORP,	INC
SI	ECURITIES LITIGATION	

Verdict Form

<u>Part I</u> (October 19, 2006 through April 25, 2007)

Q 20	uestion I(A): With rough 106 and April 25, 200	respect to Statements Nos. 1–6, which 07, do you find that any of the Defender	h allegedly were made between October 19, dants violated Section 10(b)?
	Yes	No	

If the answer to Question I(A) is "no," please skip to Part II on page 18. If the answer to Question I(A) is "yes," please proceed to Question 1(a).

Ouestion 1(a): With violated Section 10(b	respect to Stateme)?	ent 1, do you find the	at James White (a	nd therefore Bancorp)
Yes _	No	/		·
If you answered "no" proceed to Question		please skip to Quest	tion 2(a). If you a	inswered "yes," please
Question 1(b) : Do yo	ou find that James	White acted knowing	ngly with respect t	to that statement?
Yes _	No			
Please proceed to Qu	estion 1(c).			
Ouestion 1(c): Do younder Section 20(a) v	•	_	dants were contro	olling persons of Bancorp
Alan Levan:	Yes	No		
John Abdo:	Yes	No		
Jarett Levan:	Yes	No		
James White:	Yes	No		
If you answered "no" Defendant, please pro			ruestion 2(a). If yo	ou answered "yes" for any
				on 1(c), do you find that he Section 10(b) violation?
Alan Levan:	Yes	. No		
John Abdo:	Yes	No		
Jarett Levan:	Yes	No		
James White:	Yes	No		

If you answered "yes" for every Defendant for whom an answer was required, please skip to Question 2(a). If you answered "no" for any Defendant, please proceed to Question 1(e).

Qu	estion 1(e) For each I	Defendant for w	hom you answered "no" in Question 1(d), do you find that such
		gly in his capac	ity as a controlling person with respect to the Section 10(b)
ViC	plation?		
	T	Ves	No
	an Levan:		No
	hn Abdo:		No
Ja	rett Levan:		No
Ja	mes White:	Yes	No
Ple	ase proceed to Questi	on 1(f).	
Oī	uestion 1(f) For each 1	Defendant for v	whom you answered "no" to Question 1(d), please list below the
pe	rcentage of responsibil	lity that Defend	lant bears as a controlling person for the Section 10(b) violation.
Th	e total percentage for	all Defendants	for whom you answered "no" to Question 1(d) must add up to
	swer "no" to Question		rcentage of responsibility to a Defendant for whom you did not
	January Careston	-(-)-	
Al	an Levan:	%	
Jo	hn Abdo:	%	
Ja	rett Levan:	%	
Ja	mes White:	%	
To	otal	100%	
ום	ease proceed to Questi	ion 2(a)	
Г	ease proceed to Questi	1011 2(a).	
Jo Ja Ja To	hn Abdo: rett Levan:	% % % 100%	

Onestion 2(a): With re	espect to Statement	2. do vou find the	at James White (a	nd therefore Bancor	p)
violated Section 10(b)?		_, ,		•	. ,
Yes_	_ No				
If you answered "no" t proceed to Question 2(ease skip to Quest	tion 3(a). If you a	answered "yes," plea	se
Question 2(b): Do you	a find that James W	hite acted knowin	ngly with respect	to that statement?	
Yes _	No				
Please proceed to Que	stion 2(c).				
Ouestion 2(c): Do you under Section 20(a) w	ı find that any of the ith respect to that st	e following Defer atement?	ndants were contr	olling persons of Ba	ncorp
Alan Levan:	Yes	No No			
John Abdo:	Yes	No_			
Jarett Levan:	Yes	No			
James White:	YesYes	No			
If you answered "no" Defendant, please pro	for every Defendan ceed to Question 2(t, please skip to (d).	Question 3(a). If y	you answered "yes" t	for any
Ouestion 2(d): For easuch Defendant acted	ach Defendant for wingood faith and d	hom you answer id not directly or	ed "yes" in Quest indirectly induce	ion 2(c), do you find the Section 10(b) vi	I that olation?
Alan Levan:	Yes	No			
John Abdo:	Yes	No			
Jarett Levan:	Yes	No No No			
James White:	Yes <u>V</u>	No	•		
1					

If you answered "yes" for every Defendant for whom an answer was required, please skip to Question 3(a). If you answered "no" for any Defendant, please proceed to Question 2(e).

Ou Def	Onestion 2(e) For each Defendant for whom you answered "no" in Question 2(d), do you find that such Defendant acted knowingly in his capacity as a controlling person with respect to the Section 10(b)			
vio	ation?			
Als	n Levan:	Yes	No	
		Yes	No	
Jai	rett Levan:	Yes	No	
Jai	nes White:	Yes	No	
Ple	ase proceed to Question 20	(f).		
per Th	rcentage of responsibility t	hat Defendant refendants for ign any percen	m you answered "no" to Question 2(d), please list below the bears as a controlling person for the Section 10(b) violation. whom you answered "no" to Question 2(d) must add up to stage of responsibility to a Defendant for whom you did not	
Al	an Levan:	%		
Jo	hn Abdo:	%		
Ja	rett Levan:	%	·	
Ja	mes White:	%		
T	otal	100%		
Pl	ease proceed to Question 3	B(a).		

Oue ther	Ouestion 3(a): With respect to Statement 3, do you find that either of the following Defendants (and therefore Bancorp) violated Section 10(b)?				
Ala	n Levan:	Yes	No_		
	nes White:	Yes	No_		
If y	ou answered "no" as to <u>b</u> wered "yes" as to <u>either</u> I	oth Defendants Defendant, plea	in Q se pro	uestion 3(a), please skip to Question 4(a). If you occeed to Question 3(b).	
Ou suc	Ouestion 3(b): For each Defendant for whom you answered "Yes" to Question 3(a), do you find that such Defendant acted knowingly with respect to that statement?				
Ala	an Levan:	Yes	No		
Ja	mes White:	Yes	No		
	ase proceed to Question				
the per pe	Ouestion 3(c): For each Defendant for whom you answered "yes" to Question 3(a), please list below the percentage of responsibility that Defendant bears for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "yes" to Question 3(a) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you answered "no" to Question 3(a).				
	Alan Levan		_%		
	James Whit	e:	_%		
	Total	100%	o		
Pl	ease proceed to Question	3(d).			

Ouestion 3(d): Do you under Section 20(a) wit	find that any of the	ne following Defendants were controlling persons of Bancorp tatement?	
Alan Levan:	Yes	No	
John Abdo:	Yes	No	
Jarett Levan:	Yes	No	
James White:	Yes	No	
Defendant, please proc	eed to Question 3(the please skip to Question 4(a). If you answered "yes" for any (e). Thom you answered "yes" in Question 3(d), do you find that lid not directly or indirectly induce the Section 10(b) violation?	
Alan Levan:		No	
John Abdo:		No	
Jarett Levan:	Yes	No	
James White:	Yes	No	
If you answered "yes" 4(a). If you answered	for every Defenda "no" for any Defenda	ant for whom an answer was required, please skip to Question and ant, please proceed to Question 3(f).	
Ouestion 3(f) For each Defendant acted know violation?	h Defendant for w vingly in his capac	hom you answered "no" in Question 3(e), do you find that such ity as a controlling person with respect to the Section 10(b)	
Alan Levan:	Yes	No	
John Abdo:	Yes	No	
Jarett Levan:	Yes	No	
James White:	Yes	No	
Please proceed to Question 3(g).			

Ouestion 3(g) For each Defendant for whom you answered "no" to Question 3(e), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "no" to Question 3(e) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer "no" to Question 3(e).

Alan Levan:	%
John Abdo:	%
Jarett Levan:	%
James White:	%
Total	100%

Please proceed to Question 4(a).

Ouestion 4(a): With respect to Statement 4, do you find that Jarett Levan (and therefore Bancorp) knowingly violated Section 10(b)?

If you answered "no" to Question 4(a), please skip to Question 5(a). If you answered "yes," please proceed to Question 4(b).

Ouestion 4(b): Do you find that any of the following Defendants were controlling persons of Bancorp under Section 20(a) with respect to that statement?

Alan Levan:

John Abdo:

Yes _____ No ____

Yes ____ No ____

Jarett Levan:

Yes ____ No ____

Yes ____ No ____

If you answered "no" for every Defendant, please skip to Question 5(a). If you answered "yes" for any Defendant, please proceed to Question 4(c).

Onestion 4(c): For each Defendant for whom you answered "yes" in Question 4(b), do you find that such Defendant acted in good faith and did not directly or indirectly induce the Section 10(b) violation?

Alan Levan:

John Abdo:

Yes _____ No ____

Yes ____ No ____

Jarett Levan:

Yes ____ No ____

Yes ____ No ____

If you answered "yes" for every Defendant for whom an answer was required, please skip to Question 5(a). If you answered "no" for any Defendant, please proceed to Question 4(d).

Defe	stion 4(d) For each Defendendant acted knowingly in lation?	lant for whornis capacity a	m you answered "no" in Question 4(c), do you find that such as a controlling person with respect to the Section 10(b)		
Ala	n Levan:	es	No		
	1	es	No		
		Yes	No		
		Yes	No		
Ou per Th	Please proceed to Question 4(e). Ouestion 4(e) For each Defendant for whom you answered "no" to Question 4(c), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "no" to Question 4(c) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer "no" to Question 4(c).				
Al	an Levan:	%			
Jo	hn Abdo:	%			
J٤	rett Levan:	%			
Ja	mes White:	%			
T	otal	100%			
P	lease proceed to Question 5	5(a).			

violated Section 10(b)?		, do you find that Alan Levan (and therefore Bancorp)
Yes	No_	
	Question 5(a), plea	ase skip to Question 6(a). If you answered "yes," please
Onestion 5(b): Do you	find that Alan Levi	an acted knowingly with respect to that statement?
Yes	No	
Please proceed to Ques	tion 5(c).	
Ouestion 5(c): Do you under Section 20(a) with	find that any of the the respect to that st	e following Defendants were controlling persons of Bancorp tatement?
Alan Levan:	Yes	No
John Abdo:	Yes	No
Jarett Levan:	Yes	No
James White:	Yes	No
Defendant, please pro	ceed to Question 5	ont, please skip to Question 6(a). If you answered "yes" for any 5(d). whom you answered "yes" in Question 5(c), do you find that did not directly or indirectly induce the Section 10(b) violation?
I. Tayon	Yes	No
Alan Levan: John Abdo:		No
John Abdu: Jarett Levan:		No
James White:		No
	s" for every Defend	dant for whom an answer was required, please skip to Question Tendant, please proceed to Question 5(e).

Defe	stion 5(e) For each Defendendendant acted knowingly in lation?	lant for whor his capacity a	n you answered "no" in Question 5(d), do you find that such as a controlling person with respect to the Section 10(b)
Alaı	n Levan:	/es	No
Joh	n Abdo:	Yes	No
Jar	ett Levan:	Yes	No
Jan	es White:	Yes	No
Plea	lease proceed to Question 5(f).		
per The	centage of responsibility th	at Defendant efendants for gn any perce	om you answered "no" to Question 5(d), please list below the t bears as a controlling person for the Section 10(b) violation. whom you answered "no" to Question 5(d) must add up to ntage of responsibility to a Defendant for whom you did not
Ala	n Levan:	%	
Jol	n Abdo:	%	
Ja	rett Levan:	%	
Ja	mes White:	%	
To	tal	100%	
Ple	ease proceed to Question 6	(a).	

Ouestion 6(a): With respect to Statement 6, do you find that any of the following Defendants (and therefore Bancorp) violated Section 10(b)?

John Abdo:

Yes _____

No ____

James White:

Yes ____

NO ___

Jarett Levan:

Yes Ves

No ____

Alan Levan:

Yes ____ No ___

If you answered "no" as to <u>all</u> Defendants in Question 6(a), please skip to Question I(B) on page 17. If you answered "yes" as to <u>any</u> Defendant, please proceed to Question 6(b).

Ouestion 6(b): For each Defendant for whom you answered "Yes" to Question 6(a), do you find that such Defendant acted knowingly with respect to that statement?

John Abdo:

Yes V

No ____

James White:

Yes N

Jarett Levan:

No ____

Alan Levan:

No ____

Please proceed to Question 6(c).

Ouestion 6(c): For each Defendant for whom you answered "yes" to Question 6(a), please list below the percentage of responsibility that Defendant bears for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "yes" to Question 6(a) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you answered "no" to Question 6(a).

John Abdo:

<u>_</u>5_%

James White:

45%

Jarett Levan: Alan Levan:

46%

Total

100%

Please proceed to Question 6(d).

Ouestion 6(d): Do you under Section 20(a) with	find that any of the respect to that st	e following Defendants were controlling persons of Bancorp eatement?
Alan Levan:	Yes _	No No
John Abdo:	Yes _	No
Jarett Levan:	Yes	No
James White:	Yes	No No
"yes" for any Defendan	t, please proceed	
Ouestion 6(e): For each such Defendant acted in	h Defendant for we good faith and o	whom you answered "yes" in Question 6(d), do you find that did not directly or indirectly induce the Section 10(b) violation?
Alan Levan:	Yes 🗸	No
John Abdo:	Yes	No
Jarett Levan:	Yes	No
James White:	Yes	No No No No
I(B) on page 17. If you	answered "no" i	lant for whom an answer was required, please skip to Question for any Defendant, please proceed to Question 6(f). whom you answered "no" in Question 6(e), do you find that such city as a controlling person with respect to the Section 10(b)
Alan Levan:	Yes	_ No
John Abdo:	Yes	No
Jarett Levan:	Yes	_ No
James White:	Yes	No
Please proceed to Qu	estion 6(g).	

Ouestion 6(g) For each Defendant for whom you answered "no" to Question 6(e), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "no" to Question 6(e) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer "no" to Question 6(e).

Alan Levan:	%
John Abdo:	%
Jarett Levan:	%
James White:	%
Total	100%

Please proceed to Question I(B) on page 17.

Ouestion I(B): What is the amount of damages per share proximately caused by the first Section 10(b) violation you found during the period from October 19, 2006 through April 25, 2007?

\$____per share

Please proceed to Part II on page 18.

PART II

(April 26, 2007 through October 26, 2007)

Ouestion II(A): With respect to Statements Nos. 7–19, which allegedly were made between April 26, 2007 and October 26, 2007, do you find that any of the Defendants violated Section 10(b)?

Yes	No
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If the answer to Question II(A) is "no," please skip to the end and sign and date the Verdict Form on page 50.

If the answer to Question II(A) is "yes," please proceed to Question 7(a).

on 7(a), plea I Alan Leva I any of the ct to that sta I'es I'es I'es	following atement? No No
on 7(a), plea I Alan Leva io it any of the cit to that sta I'es I'es	following atement? No No
t Alan Leva to at any of the ct to that sta t'es t'es	following atement? No No
io it any of the ct to that state if es if es if es	following atement? No No
at any of the ct to that startes	No No
at any of the ct to that sta	No No
res res res	No No
Yes Yes Yes	No V No V No V
res res res	No V No V
Yes	No V
Yes	No _
y Defendant Question 7(c	t, please sk d).
ndant for w faith and di	id not direc
Yes	No
Yes	No
Yes	No
	YesYes

Alan Levan: John Abdo: Jarett Levan:	Yes	No No
		No
Torett Levan:		
URICH LOTHLY		No
James White:	Yes	No
percentage of respons	ch Defendant for visibility that Defendants for all Defendants mot assign any per	whom you answered "no" to Question 7(d), please list below the ideant bears as a controlling person for the Section 10(b) violation is for whom you answered "no" to Question 7(d) must add up to ercentage of responsibility to a Defendant for whom you did not
Alan Levan:	%	
John Abdo:	%	
Jarett Levan:	%	
	%	
James White:	100%	
Jarett Levan:	%	

iolated Section 10(b)?		8, do you find that Alan Levan (and therefore Bancorp)
Yes	No_	
f you answered "no" to proceed to Question 8(to) Question 8(a), pl	ease skip to Question 9(a). If you answered "yes," please
Ouestion 8(b): Do you	find that Alan Le	van acted knowingly with respect to that statement?
Yes	No	
Please proceed to Ques	stion 8(c).	
Ouestion 8(c): Do you under Section 20(a) wi	find that any of that respect to that s	he following Defendants were controlling persons of Bancorp statement?
Alan Levan:	Yes	No
John Abdo:	Yes	No
Jarett Levan:	Yes	No
James White:	Yes	No
If you answered "no" Defendant, please pro-	for every Defenda ceed to Question 8	ant, please skip to Question 9(a). If you answered "yes" for any 3(d).
Defendant, please pro	ceed to Question 8	ant, please skip to Question 9(a). If you answered "yes" for any 8(d). whom you answered "yes" in Question 8(c), do you find that did not directly or indirectly induce the Section 10(b) violation
Defendant, please pro	ceed to Question 8 such Defendant for y in good faith and o	whom you answered "ves" in Ouestion 8(c), do you find that
Ouestion 8(d): For easuch Defendant acted	ceed to Question 8 ach Defendant for y in good faith and y Yes	8(d). whom you answered "yes" in Question 8(c), do you find that did not directly or indirectly induce the Section 10(b) violation
Ouestion 8(d): For easuch Defendant acted Alan Levan:	ceed to Question 8 ach Defendant for y in good faith and o Yes Yes	whom you answered "yes" in Question 8(c), do you find that did not directly or indirectly induce the Section 10(b) violation No

De	estion 8(e) For each Defend fendant acted knowingly in lation?	ant for whon	n you answered "no" in Question 8(d), do you find that such as a controlling person with respect to the Section 10(b)
Ala	an Levan:	/es	No
		/es	No
		Yes	No
		Y es	No
Q : pe T1 10	rcentage of responsibility th	ndant for who nat Defendant efendants for gn any percer	om you answered "no" to Question 8(d), please list below the bears as a controlling person for the Section 10(b) violation. whom you answered "no" to Question 8(d) must add up to ntage of responsibility to a Defendant for whom you did not
A	lan Levan:	%	
J	ohn Abdo:	%	
J	arett Levan:	%	
J	ames White:	%	
T	otal	100%	
P	lease proceed to Question 9	(a).	

iclated Section 10(b)?	poor to 1541001110011	9, do you find that Alan Leva	
Yes	No No		
f you answered "no" to roceed to Question 9(b	Question 9(a), pl	ease skip to Question 10(a). I	f you answered "yes," please
Duestion 9(b): Do you	find that Alan Le	an acted knowingly with resp	ect to that statement?
Yes	No		
Please proceed to Quest	tion 9(c).		
Question 9(c): Do you under Section 20(a) wit	find that any of the third that the	e following Defendants were tatement?	controlling persons of Bancorp
Alan Levan:		No	
	Yes	No	
John Abdo:			
John Abdo:	Yes Yes Yes	No	
John Abdo: Jarett Levan: James White: If you answered "no" 1	Yes Yes for every Defenda	No No nt, please skip to Question 10	(a). If you answered "yes" for an
John Abdo: Jarett Levan: James White: If you answered "no" for the process of th	Yes Yes for every Defendanceed to Question 9	No No nt, please skip to Question 10(d).	(a). If you answered "yes" for any Question 9(c), do you find that induce the Section 10(b) violation
John Abdo: Jarett Levan: James White: If you answered "no" for the process of th	Yes Yes for every Defendanceed to Question 9 ch Defendant for in good faith and	No No nt, please skip to Question 10(d).	Ouestion 9(c), do you find that
John Abdo: Jarett Levan: James White: If you answered "no" in the Defendant, please procession 9(d): For each such Defendant acted	Yes Yes for every Defendated to Question to the Defendant for in good faith and Yes	No No nt, please skip to Question 10(d). (d). whom you answered "yes" in did not directly or indirectly in	Ouestion 9(c), do you find that
John Abdo: Jarett Levan: James White: If you answered "no" in Defendant, please proceduction 9(d): For easuch Defendant acted Alan Levan:	Yes Yes for every Defendated to Question to the Defendant for in good faith and Yes Yes	No No nt, please skip to Question 10(d). whom you answered "yes" in did not directly or indirectly in No	Ouestion 9(c), do you find that

De	estion 9(e) For each Defer fendant acted knowingly in lation?	dant for whor his capacity	m you answered "no" in Question 9(d), do you find that such as a controlling person with respect to the Section 10(b)
Ala	n Levan:	Yes	No
Jol	n Abdo:	Yes	No
Ja	rett Levan:	Yes	No
Ja	mes White:	Yes	No
Ot per Th	rcentage of responsibility t	ndant for who hat Defendant efendants for ign any percer	om you answered "no" to Question 9(d), please list below the bears as a controlling person for the Section 10(b) violation. whom you answered "no" to Question 9(d) must add up to ntage of responsibility to a Defendant for whom you did not
Jo Ja Ja To	an Levan: hn Abdo: rett Levan: mes White: ptal ease proceed to Question	% % % 100%	

Ouestion 10(a): With respect to Statement 10, do you find that Alan Levan (and therefore Bancorp)

rio ated Section 10(b)?	•	
Yes	No	
if you answered "no" to proceed to Question 10(Question 10(a), ple b).	ease skip to Question 11(a). If you answered "yes," please
Ouestion 10(b): Do yo	u find that Alan Lev	van acted knowingly with respect to that statement?
Yes	No	
Please proceed to Ques	tion 10(c).	
Ouestion 10(c): Do younder Section 20(a) wi	th respect to that sta	
Alan Levan:	Yes _	NoNoNo
John Abdo:	Yes	No
Jarett Levan:	Yes	No
James White:	Yes	No
Defendant, please pro	ceed to Question 10	t, please skip to Question 11(a). If you answered "yes" for O(d). whom you answered "yes" in Question 10(c), do you find id not directly or indirectly induce the Section 10(b) violating.
Alan Levan:	Yes	No
John Abdo:	Yes	No
Jarett Levan:		No
James White:		No
If you answered "yes	" for every Defenda ed "no" for any Defe	ant for whom an answer was required, please skip to Questendant, please proceed to Question 10(e).
		25

<u>Ou</u> suc	estion 10(e) For each Defendant for whom you answered "no" in Question 10(d), do you find that be Defendant acted knowingly in his capacity as a controlling person with respect to the Section 10(b)
	ation?

Alan Levan:	Yes_	No
John Abdo:	Yes	No
Jarett Levan:	Yes	No
James White:	Yes	No

Please proceed to Question 10(f).

Ouestion 10(f) For each Defendant for whom you answered "no" to Question 10(d), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "no" to Question 10(d) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer "no" to Question 10(d).

 Alan Levan:
 \$\langle \text{D0}\%\$

 John Abdo:
 __%

 Jarett Levan:
 __%

 James White:
 __%

 Total
 100%

Please proceed to Question 11(a).

i <u>ther</u> defendant, p ach Defendant for	ants in Question lease proceed to	11(a), please Question 11	skip to Quest (b).	ion 12(a). If you
s to <u>both</u> Defenda ither defendant, p	ants in Question lease proceed to	11(a), please Question 11	skip to Quest (b).	ion 12(a). If you
i <u>ther</u> defendant, p ach Defendant for	lease proceed to	11(a), pleaso Question 11	e skip to Quest (b).	ion 12(a). If you
nch Defendant for				
mowingly with re	r whom you ans espect to that sta	wered "Yes" itement?	to Question 11	l(a), do you find ti
Yes	No			
Yes	No			
onsibility that De	efendant bears to	or the Section "ves" to Oue	estion 11(a) mu	st add up to 100
∠evan: _	%			
White: _	%			
4	00%			
	Yes Yes stion 11(c). ach Defendant fo onsibility that De endants for whom assign any percen).	Yes No Yes No stion 11(c). ach Defendant for whom you ansonsibility that Defendant bears for whom you answered assign any percentage of responsible.	Yes No Yes No stion 11(c). ach Defendant for whom you answered "yes" onsibility that Defendant bears for the Section endants for whom you answered "yes" to Que assign any percentage of responsibility to a Defendant.).	Yes No Yes No stion 11(c). ach Defendant for whom you answered "yes" to Question 11 onsibility that Defendant bears for the Section 10(b) violation and the section 11(a) must be assign any percentage of responsibility to a Defendant for whom.).

Question 11(d): Do you find that any of the following Defendants were controlling persons of Bancorp

	•	statement?
lan Levan:	Yes	No
John Abdo:	Yes	No
Jarett Levan:	Yes	No
James White:	Yes	No
If you answered "no" for Defendant, please proce	or every Defendated to Question 1	ant, please skip to Question 12(a). If you answered "yes" for any 11(e).
Ouestion 11(e): For each Defendant acted in	ch Defendant for 1 good faith and	r whom you answered "yes" in Question 11(d), do you find that did not directly or indirectly induce the Section 10(b) violation?
Alan Levan:	Yes	No
John Abdo:	Yes	No
Jarett Levan:	Yes	No
James White:	Yes	No
GMIIIOS TT MITOT		
If you answered "yes" 12(a). If you answered	"no" for any De	dant for whom an answer was required, please skip to Question efendant, please proceed to Question 11(f). The whom you answered "no" in Question 11(e), do you find that a capacity as a controlling person with respect to the Section 10(b).
If you answered "yes" 12(a). If you answered Ouestion 11(f) For each	"no" for any Dech Defendant for knowingly in his	r whom you answered "no" in Question 11(e), do you find that s capacity as a controlling person with respect to the Section 10(t
If you answered "yes" 12(a). If you answered Ouestion 11(f) For each such Defendant acted 1 violation?	"no" for any Dech Defendant for knowingly in his Yes	r whom you answered "no" in Question 11(e), do you find that s capacity as a controlling person with respect to the Section 10(b
If you answered "yes" 12(a). If you answered Ouestion 11(f) For each such Defendant acted 1 violation? Alan Levan:	"no" for any Dech Defendant for knowingly in his YesYes	r whom you answered "no" in Question 11(e), do you find that s capacity as a controlling person with respect to the Section 10(t

Ouestion 11(g) For each Defendant for whom you answered "no" to Question 11(e), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "no" to Question 11(e) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer "no" to Question 11(e).

Alan Levan:	%
John Abdo:	%
Jarett Levan:	%
James White:	%
Total	100%

Please proceed to Question 12(a).

Onestion 12(a): Therefore Bancorp	With respect to States) violated Section 10	ment 12, do)(b)?	o you find that either of the following Defendants (and
Alan Levan:	Yes Yes	_ No_	<u> </u>
James White:	Yes	_ No_	
If you answered 'answered "yes" a	'no" as to <u>both</u> Defer s to <u>either</u> defendant	ndants in Qu , please pro	Question 12(a), please skip to Question 13(a). If you occeed to Question 12(b).
Ouestion 12(b): such Defendant a	For each Defendant acted knowingly with	for whom y respect to	you answered "Yes" to Question 12(a), do you find that that statement?
Alan Levan:	Yes	No)
James White:	Yes Yes	No)
Please proceed t	o Question 12(c).		
the percentage of	f responsibility that l ll Defendants for wh <u>nnot</u> assign any perc	Defendant t	you answered "yes" to Question 12(a), please list below bears for the Section 10(b) violation. The total swered "yes" to Question 12(a) must add up to 100 responsibility to a Defendant for whom you answered
	lan Levan:	%	
j	lames White:	%	
Ţ.	[otal	100%	
Please proceed	to Question 12(d).		

nder Section 20(a) wit				
lan Levan:	Yes	No		
John Abdo:	Yes	No		
larett Levan:	Yes	No		
lames White:	Yes	No		
Defendant, please proc	ceed to Question	Z(e).	stion 13(a). If you answered "yes" for a "yes" in Question 12(d), do you find the section 10(b) violation 10(b	nat
Subil Dolone	U			
Alon Leven:	Yes	No		
		No No		
John Abdo:	Yes	No		
John Abdo: Jarett Levan: James White:	Yes Yes Yes	No No No		
13(a). If you answere	Yes Yes Yes " for every Defend d "no" for any De	No No No dant for whom an answered	wer was required, please skip to Questied to Question 12(f). "no" in Question 12(e), do you find thing person with respect to the Section	at
John Abdo: Jarett Levan: James White: If you answered "yes" 13(a). If you answere Ouestion 12(f) For each of the property	Yes Yes Yes " for every Defend d "no" for any De	No No dant for whom an answerendant, please procees whom you answered a capacity as a controll	"no" in Question 12(e), do you find th	at
John Abdo: Jarett Levan: James White: If you answered "yes' 13(a). If you answere Ouestion 12(f) For each Defendant acted violation?	Yes Yes Yes " for every Defend d "no" for any De ach Defendant for I knowingly in his	No No No dant for whom an answered whom you answered capacity as a controll No	"no" in Question 12(e), do you find th	at
John Abdo: Jarett Levan: James White: If you answered "yes" 13(a). If you answered Ouestion 12(f) For easuch Defendant acted violation? Alan Levan:	Yes Yes Yes Yes Yes Yes Yes	No No No dant for whom an answered whom you answered capacity as a controll No	"no" in Question 12(e), do you find th	at

Ouestion 12(g) For each Defendant for whom you answered "no" to Question 12(e), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "no" to Question 12(e) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer "no" to Question 12(e).

Alan Levan:	%
John Abdo:	%
Jarett Levan:	%
James White:	%
Total	100%

Please proceed to Question 13(a).

				d Alex I array (and	therefore Bancorn)
Oue viol	estion 13(a): With restated Section 10(b)?	pect to Statement	13, do you find	that Alan Levan (and	meretore Bancorp)
	Yes_	No			
If y pro	ou answered "no" to 0 ceed to Question 13(b	Question 13(a), pl).	ease skip to Que	stion 14(a). If you an	swered "yes," please
<u>Qu</u>	estion 13(b): Do you	find that Alan Le	van acted knowi	ngly with respect to the	hat statement?
	Yes 🗸	No			
Ple	ase proceed to Questi	on 13(c).			
<u>Ou</u> un	estion 13(c): Do you der Section 20(a) with	respect to that st	atement?		ing persons of Bancorp
Al	an Levan:	Yes Yes Yes	No		
Jo	hn Abdo:	Yes	No		
Ja	rett Levan:	Yes	No		
Va	lerie Toalson:	Yes	No		
If De	you answered "no" fo fendant, please proce	r every Defendan ed to Question 13	t, please skip to (d).	Question 14(a). If you	answered "yes" for any
<u>Q</u> su	nestion 13(d): For eac ch Defendant acted in	good faith and d	id not directly or	ered "yes" in Question indirectly induce the	n 13(c), do you find that Section 10(b) violation?
A	lan Levan:	Yes	No _		
	hn Abdo:	Yes	No		
	rett Levan:		No		
	alerie Toalson:	Yes	No		

If you answered "yes" for every Defendant for whom an answer was required, please skip to Question 14(a). If you answered "no" for any Defendant, please proceed to Question 13(e).

Ωu	estion 13(e) For each Defendant for whom you answered "no" in Question 13(d), do you find that
SUC	h Defendant acted knowingly in his/her capacity as a controlling person with respect to the Section
	b) violation?

Alan Levan:	Yes	No
John Abdo:	Yes	No
Jarett Levan:	Yes	No
Valerie Toalson:	Yes	No

Please proceed to Question 13(f).

Onestion 13(f) For each Defendant for whom you answered "no" to Question 13(d), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "no" to Question 13(d) must add up to 100 percent. You carnot assign any percentage of responsibility to a Defendant for whom you did not answer "no" to Question 13(d).

Alan Levan: /eO%

John Abdo: ___%

Jarett Levan: ___%

Valerie Toalson: ___%

Total 100%

Please proceed to Question 14(a).

<u>Qu</u>	ated Section 10(b)?		4, do you find that Alan Levan (and therefore Bancorp)
	Yes 🗸	No	
pro	ceed to Question 14	(b).	ease skip to Question 14(a). If you answered "yes," please
Qı	estion 14(b): Do yo	ou find that Alan Lev	an acted knowingly with respect to that statement?
	Yes <u>V</u>		
Pl	ease proceed to Ques	stion 14(c).	
Q ui	uestion 14(c): Do you der Section 20(a) w	ith respect to that su	
A	lan Levan:	Yes V	No No No
J	ohn Abdo:	Yes	No
J	arett Levan:	Yes	No
1	alerie Toalson:	Yes	No <u>V</u>
I I	f you answered "no" Defendant, please pro	for every Defendant oceed to Question 14	t, please skip to Question 15(a). If you answered "yes" for any (d).
<u>(</u>	Duestion 14(d): For uch Defendant acted	each Defendant for vitin good faith and di	whom you answered "yes" in Question 14(c), do you find that id not directly or indirectly induce the Section 10(b) violation?
	Alan Levan:	Yes	
	John Abdo:		No
	Jarett Levan:	Yes	No
	Valerie Toalson:	Yes	No

If you answered "yes" for every Defendant for whom an answer was required, please skip to Question 15(a). If you answered "no" for any Defendant, please proceed to Question 14(e).

Ouestion 14(e) For each	n Defendant for v	whom you answere	ed "no" in Que	estion 14(d), de	you find that
Ovestion 14(e) For each such Defendant acted kind 10(b) violation?	nowingly in his/h	ner capacity as a co	ontrolling pers	on with respec	to the Section
Alan Levan:	Yes	No	`		
John Abdo:	Yes	No			
Jarett Levan:	-	No			
Valerie Toalson:	Yes	No			
Question 14(f) For eather percentage of responsibilities. The total percent add up to 100 percent. did not answer "no" to	ch Defendant for ensibility that De rcentage for all I You <u>cannot</u> assi	fendant bears as a	controlling pe	rson for the Sc red "no" to Ou	estion 14(d) must
Alan Levan: John Abdo: Jarett Levan: Valerie Toalson: Total	(<u>00</u> % % % 100%				

Please proceed to Question 15(a).

<u>Ou</u> vio	lated Section 10(b)?		15, do you find that Alan Levan (and therefore Bancorp)
	Yes	No	
If;	you answered "no" to Quoceed to Question 15(b).	uestion 15(a), ple	ease skip to Question 16(a). If you answered "yes," please
<u>Q</u>	nestion 15(b): Do you fi	nd that Alan Lev	van acted knowingly with respect to that statement?
	Yes	No	
Pl	ease proceed to Question	n 15(¢).	
Q ui	uestion 15(c): Do you finder Section 20(a) with r	espect to that sta	
A	lan Levan:	Yes	No
J	hn Abdo:	Yes	No
J	arett Levan:	Yes	No
V	alerie Toalson:	Yes	No
Γ	efendant, please proceed	d to Question 15	
S	Duestion 15(d): For each uch Defendant acted in a	good faith and di	whom you answered "yes" in Question 15(c), do you find that id not directly or indirectly induce the Section 10(b) violation?
	lan Levan:	Yes	No
	John Abdo:		No
	Jarett Levan:		No
	Valerie Toalson:		No
,	from anguared "ves" fo	or every Defenda no" for any Defe	ant for whom an answer was required, please skip to Question endant, please proceed to Question 15(e).

Ouestion 15(e) For each	n Defendant for v	whom you answ	ered "no" in C	Question 15(d), do you find that
Ouestion 15(e) For each such Defendant acted kn 10(b) violation?	nowingly in his/h	ner capacity as a	controlling p	erson with re	spect to the beetien
10(b) Violation:					
Alan Levan:	Yes	No			
John Abdo:	Yes	No			
Jarett Levan:	Yes	No			
Valerie Toalson:	Yes	No			
Please proceed to Ques	tion 15(f).				
Onestion 15(f) For each the percentage of responsibilities. The total peradd up to 100 percent. did not answer "no" to	onsibility that Der rcentage for all I You <u>cannot</u> assi	tendant bears as Defendants for warding any percenta	s a controlling	wered "no" t	the Section 10(b) O Question 15(d) must be fendant for whom you
Alan Levan:	%				
John Abdo:	%				
Jarett Levan:	%				
Valerie Toalson:	%				
Total	100%				
Please proceed to Que	estion 16(a).				

violated Section 10(b)?		16, do you find that Alan Levan (and therefore Bancorp)
Yes _	No	
If you answered "no" to proceed to Question 16	Question 16(a), ple (b).	ease skip to Question 17(a). If you answered "yes," please
Ovestion 16(b): Do yo	u find that Alan Lev	an acted knowingly with respect to that statement?
Yes _ V	No	
Please proceed to Ques	stion 16(c).	
Onestion 16(c): Do younder Section 20(a) wi	ith respect to that sta	
Alan Levan:	Yes	No
John Abdo:	Yes	No
Jarett Levan:	Yes	No
Valerie Toalson:	Yes	No
Defendant, please pro	ceed to Question 16	whom you answered "yes" in Ouestion 16(c), do you find that
such Defendant acted	in good faith and di	d not directly or indirectly induce the section 15(5) results
Alan Levan:	Yes	No
John Abdo:	Yes	No
Jarett Levan:		No
Valerie Toalson:		No
If you answered "yes	" for every Defenda d "no" for any Defe	ant for whom an answer was required, please skip to Question endant, please proceed to Question 16(e).

t for whom you answered "no" in Question 16(d), do you find that his/her capacity as a controlling person with respect to the Section
No
No
No
nt for whom you answered "no" to Question 16(d), please list below at Defendant bears as a controlling person for the Section 10(b) reall Defendants for whom you answered "no" to Question 16(d) must assign any percentage of responsibility to a Defendant for whom you 6(d).
<u></u>
_%
_%
_%
%

Please proceed to Question 17(a).

Ouestion 17(a): With respondent of the property of the propert	pect to Statement	17, do you find that Alan Levan (and therefore Bancorp)
Yes _	No	
If you answered "no" to Oproceed to Question 17(b	Question 17(a), plo).	lease skip to Question 18(a). If you answered "yes," please
Onestion 17(b): Do you	find that Alan Lev	evan acted knowingly with respect to that statement?
Yes _	No	
Please proceed to Questi	on 17(c).	
Ouestion 17(c): Do you under Section 20(a) with	respect to that su	the following Defendants were controlling persons of Bancorp tatement? No
Alan Levan:		
John Abdo:		No
Jarett Levan:		No
Valerie Toalson:	Yes	No
Defendant, please proce	eed to Question In ch Desendant for n good faith and d	whom you answered "yes" in Question 17(c), do you find that did not directly or indirectly induce the Section 10(b) violation?
		NoNo
Alan Levan:	Yes	NO
John Abdo:	103	
Jarett Levan:		No
Valerie Toalson:	Yes	No
If you answered "yes" 18(a). If you answered	for every Defend "no" for any Def	dant for whom an answer was required, please skip to Question fendant, please proceed to Question 17(e).

o	estion 17(e) For each I	efendant for wh	nom you answered "no" in Question 17(d), do you find that
su	ich Defendant acted know	wingly in his/her	r capacity as a controlling person with respect to the Section
10	(b) violation?		
A	lan Levan:	Yes <u></u>	No
	dhn Abdo:	Yes	No
	arett Levan:	Yes	No
V	alerie Toalson:	Yes	No
P	lease proceed to Questio	n 17(f).	
ti v	he percentage of respons	ibility that Defe ntage for all De ou <u>cannot</u> assign	whom you answered "no" to Question 17(d), please list below indant bears as a controlling person for the Section 10(b) fendants for whom you answered "no" to Question 17(d) must in any percentage of responsibility to a Defendant for whom you
A	Alan Levan:	10%	
J	John Abdo:	%	
	Jarett Levan:	%	
,	Valerie Toalson:	%	
•	Total	100%	
]	Please proceed to Questi	on 18(a).	

		m : /	nd that eithe			
refore Bancorp) viol						
an Levan:	Yes	No No				
Mi Levan.	Ves	No.				
llerie Toalson:	163					
you answered "no" a swered "yes" as to <u>ei</u>	s to <u>both</u> Defendent,	lants in Question please proceed to	18(a), pleas Question 1	se skip to	Question 1	9(a). If you
uestion 18(b): For ea ch Defendant acted k	ach Defendant for consisting the control of the con	or whom you ans respect to that sta	wered "Yes' itement?	" to Quest	tion 18(a),	do you find t
lan Levan:		No				
		No				
Please proceed to Question 18(c): For each percentage of respective for all Defections. You cannot a	stion 18(c). ach Defendant fonsibility that Dendants for whousing any perce	or whom you ansefendant bears for	or the Section "ves" to Ou	estion 180	(a) must ad	d up to 100
Please proceed to Question 18(c): For each percentage of response for all Deformance and the percent. You cannot a no" to Question 18(a)	stion 18(c). ach Defendant fonsibility that Dendants for who assign any perce	or whom you ans efendant bears fo m you answered ntage of respons	or the Section "ves" to Ou	estion 180	(a) must ad	d up to 100
Please proceed to Question 18(c): For each percentage of respected to the percentage for all Defectors. You cannot a no" to Question 18(a)	stion 18(c). ach Defendant fonsibility that Dendants for who assign any perce	or whom you and efendant bears for myou answered nage of responsi	or the Section "ves" to Ou	estion 180	(a) must ad	d up to 100

lan Levan:	Yes	No	
ohn Abdo:	-	No	
arett Levan:		No	
alerie Toalson:	Yes	No	
efendant, please proce	ed to Question		
Duestion 18(e) : For each uch Defendant acted in	ch Defendant for good faith and	whom you answered "yes" in Question 18(d) did not directly or indirectly induce the Section	n 10(b) viola
lan Levan:	Yes	No	
ohn Abdo:	Yes	No	
arett Levan:	Y es	No	
farett Levan: Valerie Toalson:		No No	
Valerie Toalson: If you answered "yes": 19(a). If you answered	Yes for every Defendant for		do you find t
Valerie Toalson: If you answered "yes": 19(a). If you answered Ouestion 18(f) For each such Defendant acted kello(b) violation?	Yes for every Defendant for	No lant for whom an answer was required, please fendant, please proceed to Question 18(f). whom you answered "no" in Question 18(e), ther capacity as a controlling person with response	do you find t
f you answered "yes": 9(a). If you answered Ouestion 18(f) For each Defendant acted kello(b) violation? Alan Levan:	Yes for every Defendence "no" for any Defendent for knowingly in his	No lant for whom an answer was required, please fendant, please proceed to Question 18(f). whom you answered "no" in Question 18(e), ther capacity as a controlling person with response. No	do you find t
Valerie Toalson: If you answered "yes": 19(a). If you answered Ouestion 18(f) For each	Yes for every Defendant for any Defendant for anowingly in his	No lant for whom an answer was required, please fendant, please proceed to Question 18(f). whom you answered "no" in Question 18(e), ther capacity as a controlling person with response. No	do you find t

Ouestion 18(g) For each Defendant for whom you answered "no" to Question 18(e), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "no" to Question 18(e) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer "no" to Question 18(e).

Alan Levan:	%
John Abdo:	%
Jarett Levan:	%
Valerie Toalson:	%
Total	100%

Please proceed to Question 19(a).

Ouestion 190 therefore Bar	corp) violated S	Section 10(b)?	19, do you find that either of the following Defendants (and
Alan Levan: Valerie Toal	son:	Yes Yes	No No
If you answe	red "no" as to <u>b</u> red "yes" as to <u>g</u>	<u>oth</u> Defendant either Defenda	s in Question 19(a), please skip to Question II(B) on page 49. nt, please proceed to Question 19(b).
Ouestion 19 such Defend	ant acted knowi	ngly with resp	hom you answered "Yes" to Question 19(a), do you find that ect to that statement?
Alan Levan Valerie Toa	: dson:	Yes Yes	No No
Please proce	eed to Question	19(c).	
the percentage percent. You	ige of responsib	ility that Defer	whom you answered "yes" to Question 19(a), please list below indant bears for the Section 10(b) violation. The total ou answered "yes" to Question 19(a) must add up to 100 ge of responsibility to a Defendant for whom you answered
	Alan Levan Valerie Toa Total	: <u>\$0</u> Alson: <u>50</u> 100	<u>></u> % <u>></u> % %
Please proc	eed to Question	19(d).	,

Onestion 19(d): Do you	find that any of th	e following Defendants were controlling persons of Bancorp
under Section 20(a) with	respect to that star	tement?
Alan Levan:	Yes Yes Yes	No
John Abdo:	Yes	No
Jarett Levan:	Yes	No <u> </u>
Valerie Toalson:	Yes	No
If you answered "no" fo "yes" for any Defendant	r every Defendant , please proceed to	, please skip to Question II(B) on page 49. If you answered Question 19(e).
Ouestion 19(e): For each Defendant acted in	ch Defendant for was good faith and di	whom you answered "yes" in Question 19(d), do you find that d not directly or indirectly induce the Section 10(b) violation?
Alan Levan:	Yes	No
John Abdo:	Yes	No
Jarett Levan:	Yes	No
Valerie Toalson:	Yes	No No
If you answered "yes" II(B) on page 49. If you	for every Defenda u answered "no" f	ant for whom an answer was required, please skip to Question for any Defendant, please proceed to Question 19(f).
Ouestion 19(f) For each such Defendant acted 10(b) violation?	ch Defendant for v knowingly in his/h	whom you answered "no" in Question 19(e), do you find that her capacity as a controlling person with respect to the Section
	Yes V	No
Alan Levan:	Yes	No
John Abdo:	Yes	No
Jarett Levan:		No
Valerie Toalson:	Yes	110
Please proceed to Que	estion 19(g).	

Ouestion 19(g) For each Defendant for whom you answered "no" to Question 19(e), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "no" to Question 19(e) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer "no" to Question 19(e).

Alan Levan: 50%

John Abdo: ___%

Jarett Levan: ___%

Valerie Toalson: 50%

Total 100%

Please proceed to Question II(B) on page 49.

Ouestion II(B): What is the amount of damages per share proximately caused by the first Section 10(b) violation you found during the period from April 26, 2007 through October 26, 2007?

\$ 2.41 per share

Please sign and date the Verdict Form on page 50.

SO SAY WE ALL.

Dated: 11-18-10

Jury Foreperson

Once your foreperson has signed and dated the Verdict Form, please inform the Court Security Officer you have completed your deliberations and reached a unanimous verdict. He/she will then inform the Court that you are ready to announce your decision, and Judge Ungaro shortly will reconvene court for that purpose.

<u>TABLE</u> of Misstatements and Omissions Alleged by Plaintiffs

	Exhibit Page	Date	Description	Statements That Plaintiffs Contend Are Misrepresentations or Omit Material Facts
1.	DX 47	10/19/06	Earnings Conference Call	Alleged against White and BankAtlantic Bancorp.
	Page 7		•	There is really nothing significant to note on the credit quality front which in itself given the current real estate environment I think is a favorable commentary Alleged against White and BankAtlantic
2.	DX 47	10/19/06	Earnings Conference Call	Bancorp.
	Page 7			You ought to also see some extension of takedown schedules from developers of lot loans across the entire market but in our situation and because of our insistence on hard equity in projects, we believe we're dealing with borrowers with staying power that will enable them to ride through this if indeed that trend does manifest.
3.	DX 48	11/8/06	Third Quarter 2006 Form 10-Q	Alleged against White, Alan Levan and BankAtlantic Bancorp.
	Page 35		C D i desa Dillingo	The increase in non-performing assets primarily resulted from the transfer of a \$26.6 million land acquisition and development loan to a non-accruing status effective September 30, 2006 based on information that existed prior to September 30, 2006 and became available to BankAtlantic subsequent to that date. Among other issues, BankAtlantic has been advised by the borrower that contracts for sales of land parcels were terminated by third party buyers. BankAtlantic has requested an appraisal to measure the loan impairment based on the fair value of the collateral. To date, the appraisal has not been received and the amount of the required specific reserve, if any, has not been determined. Alleged against Jarett Levan and BankAtlantic
4.	PX 251	11/29/00	Friedman Billings Ramsey Investor Conference	Alleged against Jarett Levan and BankAtlantic Bancorp. [W]e see no trends that make us nervous. We're very comfortable with our borrowers.

	Exhibit Page	Date	Description	Statements That Plaintiffs Contend Are Misrepresentations or Omit Material Facts
5.	DX 49 Page 6	1/31/07	Press Release	Alleged against Alan Levan and BankAtlantic Bancorp.
				Press Release quoting Alan Levan: We believe that our credit process has remained conservative and consistent with our practices over the past several years during which our credit experience was excellent.
6.	DX 3	3/1/07	2006 Form 10-K	Alleged against Abdo, White, Jarett Levan, Alan Levan and BankAtlantic Bancorp.
	Page 16			Included in the commercial real estate loans are approximately \$389 million of land development loans, which are susceptible to extended maturities or borrower default due to a slow-down in Florida construction activity, and \$95.1 million of development loans for low and mid-rise condominium projects in Florida, where there is an increasing supply of new construction in the face of falling demand.
7.	DX 5	4/26/07	Earnings Conference Call	Alleged against Alan Levan and BankAtlantic Bancorp.
8.	Page 4	4/26/07		In this particular non-accrual — this \$19.6 million — there's two loans in that bucket. One is approximately \$12.5 million; the other is approximately \$7.5 million. Both of these loans relate to what we call our land banking portfolio. And those very simply are loans that we made to land developers; people that buy land in anticipation of selling that land to national developers, national or local developers. Generally, at the time of the borrowing, the borrower or developer had contracts with builders to buy a significant or substantial portion of the property, which would have been used to pay down the loan in the normal course. Alleged against Alan Levan and BankAtlantic
0.	Pages 6 and 8		Conference Call	Bancorp. But in an abundance of caution, and because there is so much interest in credit today, in

	Exhibit Page	Date	Description	Statements That Plaintiffs Contend Are Misrepresentations or Omit Material Facts
				portfolios, we've chosen to be extremely conservative in this entire portfolio and present this information as we know it.
9.	DX 5 Pages 22 and 24	4/26/07	Earnings Conference Call	Alleged against Alan Levan and BankAtlantic Bancorp. We — our entire commercial portfolio — commercial real estate portfolio — is about \$1.4 billion, \$1.5 billion. That's a portfolio that Jim has indicated, for the last four years, we've taken zero losses on. And for the last 10 or 15 or 20 years, our experience in that portfolio, I would say, has been excellent. So our credit standards and credit criteria have been pretty consistent across the board. This particular portfolio — as best we can segment it — is about \$140 million to \$160 million. And this particular portfolio is one, again, where you have a borrower who buys land, develops the land into finished lots, with the anticipation of selling it to, for the most part, national homebuilders, who sign option contracts to take down lots to deliver to homeowners. So — *** we're definitely seeing differences in the characteristics in the performance of the portfolio. The portfolios that are borrowers that are buying land for their own development — those are proceeding in the normal course. We're not really seeing any difference in that portfolio. That portfolio at one time was up close to \$2 billion. And we're not really seeing any difference in those characteristics as we've seen over the last 10 or 15 years.

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10.	DX 5	4/26/07	Earnings Conference Call	Alleged against Alan Levan and BankAtlantic Bancorp.
	Page 29	·		I mean, the entire portfolio is \$1.4 billion, \$1.5 billion. If Valerie knows today, she'll tell you as soon as I stop talking, or we'll have to tell you off-line — there's a certain designation. When we finance a land acquisition with the anticipation of a building going on that, it tends to get into this land portfolio. And it may re-characterize as we start to build. But lots of our portfolio is a construction portfolio that we're not in any way concerned about.
11.	DX 6	5/10/07	First Quarter 2007	Alleged against Alan Levan, White and
	Page 18		Form 10-Q	Alleged against Alan Levan, white and BankAtlantic Bancorp. The "builder land loan" segment discussed above is part of BankAtlantic's total commercial real estate acquisition and development portfolio of approximately \$562 million as of March 31, 2007. The loans other than the "builder land loans" in this category are generally secured by residential and commercial real estate which will be fully developed by the borrower or sold to third parties. These loans generally involve property with a longer investment and development horizon and are guaranteed by the borrower or individuals and/or secured by additional collateral such that it is expected that the borrower will have the ability to service the debt under current conditions for a longer period of time. Accordingly, management considers these other loans to
				be of relatively lower risk than the "builder land loans."
12		5/10/07	First Quarter 2007 Form 10-Q	
	Page 19			"Total Potential Problem Loans" for the entire Bank as \$7,788,000.
13		7/25/07	Earnings Conference Call	Alleged against Alan Levan and BankAtlantic Bancorp.
	Page 20	'		There are no asset classes that we are

	Exhibit Page	Date	Description	Statements That Plaintiffs Contend Are Misrepresentations or Omit Material Facts
	PX 353			concerned about in the portfolio as an asset class. We've reported all the delinquencies
	Page 10			that we have, which actually I don't think are any other than the ones that we've just
		i		reported to you.
14.	DX 8	7/25/07	Earnings Conference Call	Alleged against Alan Levan and BankAtlantic Bancorp.
	Page 20		Comorones can	So the portfolio has always performed
	and			extremely well, continues to perform
	PX 353			extremely well.
15.	Page 10 DX 8	7/25/07	Earnings Conference Call	Alleged against Alan Levan and BankAtlantic Bancorp.
	Page 20		Conference Call	And that's not to say that from time to time
	and			there aren't some issues, as there always have
	PX 353			even though we've never taken losses in that
	Page 10			world. But we've not taken – I won't say ever taken any losses, because that's probably never going to be a correct statement. But that
				portfolio has performed extremely well.
16.	DX 8	7/25/07	Earnings Conference Call	Alleged against Alan Levan and BankAtlantic Bancorp.
	Page 21			The one category that we just are focused on is
	and			this land loan builder portfolio, because just
	PX 353			from one day to the next the entire home building industry went into a state of flux and
	Page 10			turmoil, and is impacting that particular class. But to our knowledge and in just in thinking through, there are no particular asset classes
				that we're concerned about other than that one class.
17.	DX 8	7/25/07	Earnings	Alleged against Alan Levan and BankAtlantic
	Pages		Conference Call	Bancorp.
	32-33			[Q: Brian Horey - Equity Growth Management (Aurelian) - Analyst - Okay. If I can just
	and			question you about the commercial portfolio
	PX 353			for a second for the construction portion of that, which I think you said was 63% of the
	Page 17-			portfolio. Can you give us some sense of what the various delinquency buckets on that portion of the portfolio looks like at the end of June and how that's change since the beginning

J	Exhibit Page	Date	Description	Statements That Plaintiffs Contend Are Misrepresentations or Omit Material Facts
	Page			of the year?] I could be wrong, but I think it's zero. I don't think we have any delinquency in that portfolio — in the entire portfolio. *** Other than the non-accruals we've reported to you, there are no delinquencies in that portfolio. And again, I could be — don't take it as an absolute. But I'm just telling you to date we have — we do not have a concern about the balance of the portfolio. *** Brian, we've confirmed that — while we were talking, somebody checked and to our knowledge at this moment, we have no delinquencies in the balance of the portfolio — in the commercial portfolio.
18.	DX 9 Page 22	8/9/07	Second Quarter 2007 Form 10-Q	Alleged against Alan Levan, Toalson and BankAtlantic Bancorp. The "builder land loan" segment discussed above is part of BankAtlantic's total commercial real estate acquisition and development portfolio of approximately \$537.0 million as of June 30, 2007. The loa other than the "builder land loans" in this category management considers these other loans to be of relatively lower risk than the "builder land loans."
19.	DX 9 Page 23	8/9/07	Second Quarter 2007 Form 10-Q	Alleged against Alan Levan, Toalson and BankAtlantic Bancorp. "Total Potential Problem Loans" for the entir Bank as \$8,348,000.